

**Public Hearing on the Request of
River Rouge Brewing Company, L.L.C. (406 East Fourth Street) to
Add Space Outdoor Service Area**

June 23, 2016

The Honorable Mayor Ellison and
Members of the City Commission:

The police department received a request from River Rouge Brewing Company, L.L.C. to amend their plan of operation to add an outdoor service area. At the May 9, 2016 city commission meeting the amended plan of operation was approved, however, a public hearing was not conducted. In order to be in full compliance with the city's liquor control ordinance, the public hearing was scheduled and all required property owners and interested parties notified.

River Rouge is requesting to locate an outdoor service area the size of 31-feet by 9.8 feet directly adjacent to the east side of their business on private property that will provide seating for 18 patrons. The police department has no objections to the proposed request as outlined in Deputy Chief Mike Frazier memorandum of June 21, 2016 (Attachment 1).

If the city commission agrees with this recommendation, the following resolution would be appropriate:

Be it resolved, the city commission, after noticing and conducting a public hearing on June 27, 2016, approves the amended plan of operation for River Rouge Brewing Company, L.L.C. to add an outdoor service area.

Respectfully submitted,



Donald E. Johnson
City Manager

DEJ / cds

1 Attachment



Royal Oak
POLICE DEPT

Royal Oak Police Department
221 E Third Street
Royal Oak, MI 48067
248.246.3510

To: Mr. Don Johnson, City Manager

From: Mike Frazier, Deputy Chief

CC: Corrigan O'Donohue, Chief of Police

Date: 6/21/2016

Re: PLAN OF OPERATION CHANGE FOR RIVER ROUGE BREWING CO., LLC

River Rouge Brewing Company, LLC located at 406 E. Fourth Street, has requested to change their plan of operation. Specifically, they are requesting to add an outdoor service area.

This request was approved by the City Commission on May 9, 2016. However, a public hearing was not held at that time. There are no changes to the previously approved plan of operation. This submission is to satisfy the requirement of a public hearing.

Below are specifics of what was approved on May 9, 2016:

The outdoor service area will be located directly adjacent to the east side of the business on private property and will provide seating for 18 patrons. There will also be three high top tables for additional standing room. Dimensions for the outdoor service area are 31 feet x 9.8 feet.

The outdoor service area will be operated in accordance to all city policies and procedures. Service will be by wait staff only. There will be no music or entertainment in the outdoor service area.

No changes will be made to the interior of the business.

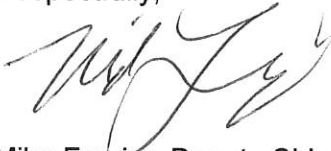
Over the past year the police department has responded to two calls for service (business checks) at this establishment. Neither of these calls has been related to the sale of alcohol and no issues were reported. The police department does not anticipate this change to cause any significant strain to police resources and does not object to the requested change to the plan of operation.

Attachment 1

If approved, applicants will need to comply with all planning, zoning and building requirements and restrictions.

Approval for this change in the plan of operation is subject to the approval or denial of the Royal Oak City Commission.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mike Frazier', written in a cursive style.

Mike Frazier, Deputy Chief

**CITY OF ROYAL OAK
CLASS C LIQUOR LICENSE OR TAVERN LICENSED BUSINESS
PLAN OF OPERATION**

RIVER ROUGE BREWING COMPANY, LLC at 406 E. Fourth Street, Royal Oak, MI

I have received copies of the Royal Oak Liquor Control Ordinance No. 2001-06 §430-1 et seq. (the "Ordinance"), I understand its provisions, and River Rouge Brewing Company, LLC will be governed by them. The following Plan of Operation is developed in keeping with the spirit and intent of the Ordinance.

I. HOURS OF OPERATION: At present, our planned hours of operation will be:

| | |
|-------------------|---------------------|
| Sunday | 12:00 PM – 9:00 PM |
| Tuesday- Thursday | 04:00 PM – 10:00 PM |
| Friday | 03:00 PM – 11:00 PM |
| Saturday | 12:00 PM – 11:00 PM |

Last call will be 30 minutes before closing and the service of alcoholic beverages will stop 20 minutes prior to closing.

II. FORMAT: The establishment is a nano-brewery specializing craft ale beer, cider, wine, and non-alcoholic beverages. The nano-brewery will primarily sell growlers for take away consumption of the premises. However, one (1) oz. samples of beer will be available during all times that the nano-brewery is open, and will be served free of charge pursuant to the rules and regulations of the Michigan Liquor Control Commission ("MLCC") (i.e. pursuant to MCL 436.2027, no more than two (2) three (3) oz. samples of beer may be given to any one customer within a 24 hour period). The nano-brewery will also sell single glasses of beer and flights of beer (a/k/a "tasters"), which are further described on the nano-brewery's sample menu provided herewith. The nano-brewery will "self distribute" the beer it manufactures to other licensed bar and retail businesses in the surrounding community pursuant to the rules and regulations of the MLCC (i.e. MCL 436.1203).

The nano-brewery is approximately 1,490 square feet, and seats 32 persons (24 seats between four community tables and 8 bar stools at the bar). It also includes one high top table to stand at. The occupancy of the nano-brewery is limited to 45 persons. Patrons that are not seated will stand at the bar, or the high-top standing tables that will be located inside the establishment. **In addition to the inside seating space there is a 300 square foot outside patio space that is directly connected to the brewery with three community picnic tables (seating for 18 people) and three high top tables for additional standing room.**

Low key background music piped or canned music ("Sound") will be played at certain times inside the establishment, and will be restricted to a level which will not adversely impact neighboring and adjoining property owners. River Rouge Brewing Company will strictly comply with the City and the provisions of the City's Sound Ordinance. River Rouge Brewing Company pledges its full cooperation with the Police Department and/or adjacent and adjoining property owners in this regard. There is no dancing or entertainment at the nano-brewery, and there will no televisions inside the nano-brewery except for a special event projector and screen that will be used on very limited bases.

Attachment 1

It is agreed that we will not change the format or type of business described herein without written approval of the City Commission.

- III. **CODE COMPLIANCE:** The premises currently fully complies with all applicable health, safety, building, sanitation, electrical, plumbing, and fire codes, as well as zoning requirements.

A seasonal Outdoor Service Area is located on the privately owned area, on the east side of the business. There is seating for 18 patrons and three high top tables which allows for additional standing room. Patrons will be able to receive alcohol service in the Seasonal Outdoor Service Area. Last call will be consistent with last call procedures inside the business. The Seasonal Outdoor Service Area will operate in accordance with and consistent with all City policies, practices, and procedures regulating outdoor service, including, but not limited to:

- The Outdoor Service Area will not be permanently enclosed;
- The fence and/or other barricades or rail surrounding the Seasonal Outdoor Service Area should be anchored in accordance with the Uniform Engineering Anchoring System as promulgated by the Engineering Department of the City of Royal Oak;
- The manner in which the Seasonal Outdoor Service Area is enclosed shall be subject to prior approval and inspection by the Police and Engineering Department;
- The use of alcohol will be allowed in accordance with the rules of the Michigan Liquor Control Commission;
- Alcohol will be served by wait staff only and there will be no walk up bar service in the Outdoor Service Area;
- Operation of the Outdoor Service Area will be at the Operator's discretion;
- The Seasonal Outdoor Service Area will be clean and free of debris or trash. The Area shall be cleaned at the close of each business day;
- There will be no music played in the Seasonal Outdoor Service Area.

- IV. **PLAN OF OPERATION:** It is acknowledged that under Ordinance No. 2001-06 §430-4, the business shall be operated in accordance with an approved Plan of Operation. Changing the operation of the business in any manner inconsistent with the approved Plan of Operation is a violation of the ordinance and the rules of the Liquor Control Commission. Any change to the Plan of Operation must be approved by the City Commission prior to it being placed into effect on the business premises.

- V. **ENTERTAINMENT:** No gaming devices or amusement (including but not limited to pool tables, dartboards, video games and pinball) shall be permitted.

- VI. **SECURITY:** Security for the customers, building, and community is the first priority for the company, and as such, we will undertake whatever measures are necessary to maintain and supervise the expected level of security.

- VII. **PARKING**: There is metered street parking around the nano-brewery as well as City parking structures close by where guest can park. Employees will be required to either walk/bike to work, or park in a nearby City parking garage.
- VIII. **ALCOHOL MANAGEMENT**: The establishment will strictly obey all rules and regulations promulgated by the City of Royal Oak and the State of Michigan Liquor Control Commission. There will be neither service to nor consumption of alcoholic beverages by minors at any time. No alcohol will be sold, or permitted to be sold, on a commission basis by any person.

The following policies will be enforced at the establishment:

1. No alcoholic beverages will be sold on the premises, other than what is made by the establishment.
2. All nano-brewery staff will pay attention and be alert to observable clues displayed by an intoxicated individual, such as: impaired reflexes, impaired coordination, reduced judgment and inhibitions, impaired vision, etc.
3. All nano-brewery staff will be alert to potential problems at their respective areas of the nano-brewery.
4. All staff will be polite and courteous to the intoxicated individual(s) and will be knowledgeable as to when to request assistance from additional nano-brewery staff.
5. Patrons who appear to be 30 years of age or younger will be asked to show proper identification. Signage will be posted at a noticeable place within the nano-brewery. Patrons must provide proper identification.
 - a. All Patrons under 21 years of age, service will be refused.
 - b. Check "state seal", vertical vs. horizontal format, and other markings on the identification card. Check for damage or alterations to identification card.
 - c. Do not return falsified identification cards.
6. If a patron shows signs of intoxication, staff is to refuse service, politely explain policy, suggest non-alcohol purchase, and/or call for management, if necessary.
7. If a patron is purchasing on behalf of someone else who appears less than 30 years old, nano-brewery staff is to request to see identification of recipient, or contact supervisory personal who will seek patron(s) out. Staff will refuse service to minors and will inform all parties involved that policy allows for ejection from premises if illegal activity has occurred.
8. Alcohol dispensing may be restricted to one of the following practices or any combination thereof:
 - a. No sales to intoxicated persons.
 - b. No sales without proper identification.
 - c. Limited alcoholic choices of beer only.

Attachment 1

- d. When in doubt, do not serve, call a supervisor.
 9. Observe all patrons leaving the property. No alcoholic beverages are allowed to leave the facility or property.
 10. Nano-brewery staff is to approach any person appearing to be impaired and leaving the event to determine if they are driving. If so, nano-brewery staff is to attempt to persuade them not to drive and request a non-impaired companion to drive. If unable, nano-brewery staff will refer patron(s) to bus or taxi service.
 11. Nano-brewery supervisory and management personnel will complete documentation of any alcohol-related incidents at the end of event. Information will be disseminated accordingly.
 12. Nano-brewery shall provide non-alcoholic beverages to all designated drivers either free or at reduced prices.
 13. The establishment fully participates in the Techniques in Alcohol Management Program and will continue to participate in such program or a similarly recognized program approved by the Royal Oak Police Chief. TIPS/TAM certification cards for all employees shall be available for inspection by the Police Department 35 days after the date of hire.
- IX. **REFUSE DISPOSAL**: The establishment will dispose of refuse in enclosed dumpster(s), with locked lids. Pickup will be a minimum of 1 time per week. A water line with spigot will be provided to clean dumpster enclosure as necessary.
- X. **GENERAL**. Every effort will be made to maintain positive relationships with adjacent and nearby businesses, as well as cooperation with all City departments. Every effort will be made to solve any problems which may arise.
- XI. **EMERGENCY CONTACTS**: Edward Stencel (310) 498-7809
- XII. **REFERENCE TO VALET SERVICE**: No valet service will be used at the nano-brewery.

Date: March 30th, 2016

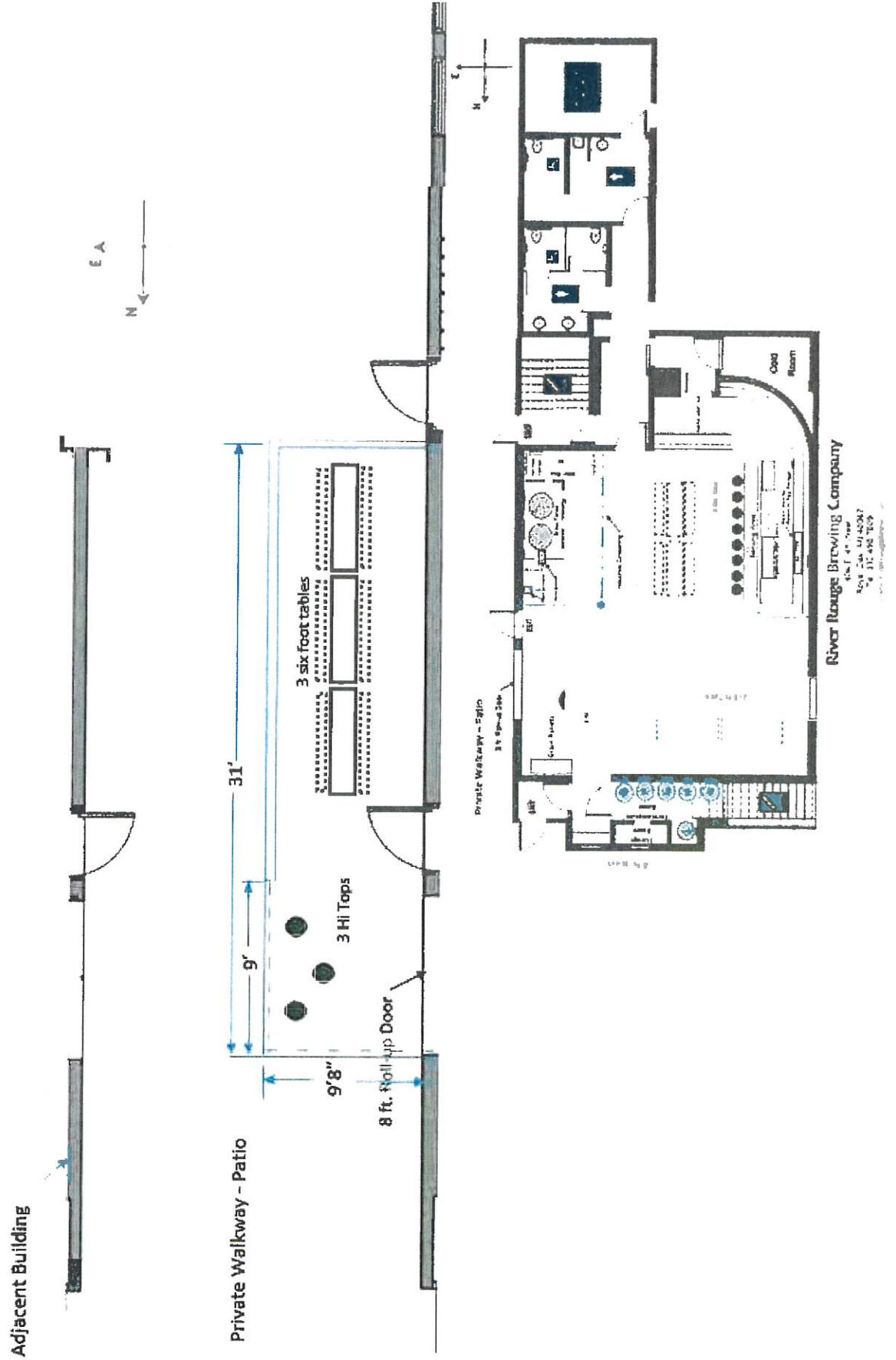
River Rouge Brewing Company, LLC

Edward P. Stencel, President

RIVER ROUGE BREWING COMPANY

3/22/2016

Patio Proposal (scale is approximate)



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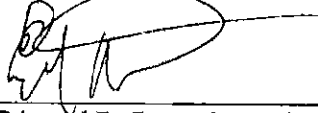
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Date: November 2, 2015

River Rouge Brewing Company, LLC



Edward P. Stencil, President